

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONY PATRINICOLA,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.


Case No. 3:13-cv-05667-RJB-KLS

ORDER REVERSING AND
REMANDING DEFENDANT'S
DECISION THAT PLAINTIFF WAS
OVERPAID BENEFITS

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) the Court adopts the Report and Recommendation;
- (2) the ALJ erred in her decision as described in the Report and Recommendation; and
- (3) the Commissioner's final decision is therefore REVERSED and this matter is REMANDED for further proceedings in accordance with the findings contained in the Report and Recommendation, including vacating the overpayment assessment and determining whether plaintiff is due any repayment of retirement insurance benefits.

DATED this 14th day of August, 2014.



ROBERT J. BRYAN
United States District Judge